

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
CIVIL MINUTES**

Case Title: Nathan Benjamin Damigo
Adversary Title: Sines et al v. Damigo

Case No.: 19-90003 - E - 7
Adv No.: 19-09006
Docket Control No. RLE-1
Date: 08/21/2025
Time: 10:30 AM

Matter: [93] - Motion/Application For Summary Judgment [RLE-1] Filed by Plaintiffs Chelsea Alvarado, Thomas Baker, Soronya Hudson, Marcus Martin, April Muniz, Natalie Romero, Elizabeth Sines, Devin Willis, Seth Wispelwey (smis)

Judge: Ronald H. Sargis
Courtroom Deputy: Kamee Thao
Reporter: Electronic Record
Department: E

APPEARANCES for:

Movant(s):

(by phone) Plaintiff's Attorney - Robert L. Eisenbach III; (by phone) Plaintiff's Attorney - Caitlin B. Munley

Respondent(s):

(by phone) Defendant's Attorney - Glen Keith Allen; (by phone) Interested Party - Amanda Lindner; (by phone) Interested Party - George Papademetriou

CIVIL MINUTES

Motion Granted

Findings of fact and conclusions of law stated orally on the record

Chambers to prepare Order

Local Rule 7056-1 Motion—Hearing Required.

Sufficient Notice Provided. The Proof of Service states that the Motion and supporting pleadings were served on Defendant-Debtor, Chapter 7 Trustee, and Office of the U.S. Trustee on May 8, 2025. By the court's calculation, 49 days' notice was provided. 42 days' notice is required.

The Motion for Summary Judgment has been set for hearing on the notice required by Local Bankruptcy Rule 7056-1. Failure of the respondent and other parties in interest to file written opposition at least 21 days prior to the hearing as required by Local Bankruptcy Rule 7056-1(b) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v.*

Moran, 46 F.3d 52, 53 (9th Cir. 1995) (upholding a court ruling based upon a local rule construing a party's failure to file opposition as consent to grant a motion). The defaults of the non-responding parties and other parties in interest are entered.

The Motion for Summary Judgment is granted in favor of Plaintiffs in this Adversary Proceeding, Elizabeth Sines, Seth Wispelwey, Soronya Hudson (as successor to Marissa Blair), April Muñiz, Marcus Martin, Natalie Romero, Devin Willis, Chelsea Alvarado, and Thomas Baker.

The Cross Motion for Summary Judgment filed by Defendant-Debtor Nathan Benjamin Damigo is denied.

The Court's Findings of Fact and Conclusions of Law are stated in the Joint Memorandum Opinion and Decision filed by the court for the two Motions